



# County of Los Angeles CHIEF EXECUTIVE OFFICE

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WILLIAM T FUJIOKA  
Chief Executive Officer

May 29, 2009

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To: Supervisor Don Knabe, Chairman  
Supervisor Gloria Molina  
Supervisor Mark Ridley-Thomas  
Supervisor Zev Yaroslavsky  
Supervisor Michael D. Antonovich

From: William T Fujioka  
Chief Executive Officer

**MOTION TO INSTRUCT THE CHIEF EXECUTIVE OFFICER TO SEND A FIVE-SIGNATURE LETTER TO THE LOS ANGELES COUNTY CONGRESSIONAL DELEGATION AND ANY KEY CONGRESSIONAL COMMITTEE MEMBERS IN SUPPORT OF H.R. 1670 AND S. 683, THE COMMUNITY CHOICE ACT OF 2009 (ITEM No. 7 - AGENDA OF JUNE 2, 2009)**

Item No. 7 on the June 2, 2009 Agenda is a motion by Supervisor Antonovich instructing the Chief Executive Officer to send a five-signature letter to the Los Angeles County Congressional delegation and any key Congressional committee members in support of H.R. 1670 and S. 683, The Community Choice Act of 2009.

**H.R. 1670 (Davis-D)**, as introduced on March 23, 2009, and **S. 683 (Harkin-D)**, as introduced on March 24, 2009, would amend Title XIX of the Social Security Act to require state Medicaid (Medi-Cal) coverage for community-based attendant care for individuals eligible for long-term care in nursing or intermediate care facilities. The measures would allow elderly, disabled and developmentally disabled persons currently residing in institutional settings to receive attendant care and support services in a home or community-based setting. Services provided would include assistance with eating, toileting, grooming, dressing, bathing, meal planning and preparation, managing finances, shopping, performing household chores, communicating, transportation, and health related functions. In addition, the proposed legislation would allow the Secretary of Health and Human Services to establish an enhanced Federal Medical Assistance Percentage of up to 90 percent for individuals whose costs exceed 150 percent of average nursing home costs.

*"To Enrich Lives Through Effective And Caring Service"*

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States would be required to provide intake, referral and institutional diversion services and to identify gaps and inequities in the delivery of long-term care services, particularly based on factors such as the age, severity of disability, type of disability, ethnicity, or income of the recipient. The proposed legislation also would require states to establish quality assurance programs and to meet maintenance of effort requirements.

The Department of Public Social Services indicates that as currently written both bills increase Federal financial participation and seem to provide states flexibility to customize the required Medicaid services to build upon and strengthen existing programs like California's existing In-Home Supportive Services program.

**Support for H.R. 1670 and S. 683 is consistent with existing Board policy to support proposals and funding that would promote home and community-based care for persons who, otherwise, would require institutionalization.**

H.R. 1670 was referred to the House Committee on Energy and Commerce on March 23, 2009. S. 683 was referred to the Senate Committee on Finance on March 24, 2009. Neither bill has been scheduled for a committee hearing.

WTF:GK  
MR:VE:lm

c: Executive Officer, Board of Supervisors  
County Counsel  
Department of Public Social Services